

## OCSPP SUMMARY AND INITIAL RESPONSE TO “OCSPP LOOKING FORWARD: A CLIMATE ASSESSMENT”

The opportunity to participate in the climate assessment was provided to current EPA employees and management who contributed to the new chemicals program from 2016 to the present. Of the roughly 70 employees who received invitations to participate in the climate assessment, there were 29 responses provided via a survey, 13 via listening sessions, and 10 via individual interviews. It is possible that some employee(s) participated in all three opportunities provided.

The report described a number of themes that were consistently raised by respondents:

- **“Commitment** to the Agency’s mission, the organization, and their work.
- **Hope** that NCD will trust the science, follow the law, resist external pressures, and act to protect human health and the environment. While there are many challenges, there is strong acknowledgement and appreciation from some respondents that the Risk Management and Industrial Chemistry branches are working well.
- **Fear** that some colleagues will secretly record them, categorize honest mistakes as scientific integrity violations, and ruin their good name and reputations in the agency and the press.
- **Anger** at being bullied and harassed by some NCD colleagues and managers, and dissatisfaction that the organization is not protecting them.
- **Frustration** due to the heavy workload, lack of staff, and concerns with some on the NCD management team – including micromanagement, dissatisfaction with their management and technical skills, and exerting inadequate leadership to create standard policies and procedures that guide decision-making and reduce issues of scientific integrity.
- **Disappointment** that their situation is not improving.”

Underlying the concerns and challenges included in the report was also some positive feedback, which was that respondents were “enthusiastic about the mission, the science, and the expertise of colleagues. Respondents expressed the importance of their work in protecting the American people. Respondents were enthusiastic about the opportunity to be the first to review chemicals newly coming onto the market. Several respondents said that the Risk Management Branches and the Industrial Chemistry Branch are working well.”

The report further listed the challenges most often raised, which are summarized below, along with OCSPP’s current and planned efforts to address them:

1. **Resources:** Respondents raised the concern that NCD is extremely understaffed and maintains an extremely demanding workload, which is contributing significantly to workforce stress. Further exacerbating this situation is the status of the current IT systems supporting NCD, which are outdated and unreliable.

**Response:** I stated in my October 2021 testimony to the House Energy and Commerce Committee that “We estimate that we have less than 50 percent of the resources necessary to implement the new chemicals program as Congress had intended. On top of that, the information

technology systems that the program relies on – including those that support new chemical workflows, review of confidential business information, the ChemView database and various existing chemical program functions – are frequently inoperable, making it difficult to function at the speed of modern times. We certainly welcome the boost in funding that the Fiscal Year 2022 President’s budget would provide as it is a significant down payment that can start to chip away at the four years of compounding errors that we are facing. We hope to build on this in future years.”

OCSPP is unable to begin to permanently address these concerns until Congress acts on the President’s FY 2022 Budget Request. While we cannot begin onboarding new employees until we receive additional resources, OCSPP is taking steps to prepare to hire additional staff in as expedited a manner as possible, including identifying our highest priority technical specialty areas for recruitment, preparing vacancy announcements, beginning the position description classification process with the Shared Service Center in the Office of Mission Support (OMS), and developing recruitment strategies, so that once any new resources become available we will be poised to begin posting job vacancies expeditiously. In the meantime, and as part of OCSPP and the Office of Research and Development’s (ORD’s) ongoing efforts to work together to help strengthen new chemical reviews under TSCA, ORD will be lending support to NCD by assisting in the quality assurance review of the human health risk assessments for a targeted set of new chemical cases.

Regarding the need to improve the IT that supports the New Chemicals Division’s work, OCSPP, working with OMS, expects to be able to award a consolidated IT Mission Support contract this year that will provide the necessary contractor support to begin the digital transformation of OCSPP’s IT infrastructure. Building on some approaches successfully adopted in the Office of Pesticide Programs, this transformation will focus on piloting the same approach with the New Chemicals workflow to enhance workload awareness, document search, process automatic, and predictive analytics. Visual management tools will allow managers and staff to track work from intake to final disposition.

**2. Mission:** Respondents felt that meeting deadlines was prioritized above protecting human health and the environment.

**Response:** I stated in my October 2021 testimony to the House Energy and Commerce Committee that “We are renewing our focus on what matters most: conducting risk-based assessments of new chemicals; identifying potential risks to human health or the environment; and addressing those risks prior to new chemicals entering commerce.... The program continues to work expeditiously to review new chemical submissions – respecting both the statutory timeframes and the point of the law, which is to ensure that reviews result in decisions that are protective of human health and the environment. We believe that the added resources in the President’s FY 2022 Budget will help us do better at achieving both of these goals.”

The Agency’s Strategic Plan for FY 2018-22<sup>1</sup> included 5 long-term performance goals for OCSPP, each of which was focused solely on meeting statutory deadlines or expediting regulatory decision-making. In the Agency’s draft Strategic Plan for FY 22-26, the long-term

---

<sup>1</sup> See page 22 of <https://www.epa.gov/sites/default/files/2019-09/documents/fy-2018-2022-epa-strategic-plan.pdf>

performance goal related to new chemical reviews was revised to be focused on a review of the sufficiency of the risk mitigation requirements for past new chemicals actions<sup>2</sup>.

- 3. Communications Between Colleagues:** Respondents indicated that three of the five branches in NCD were working well and have a positive workplace culture, but that the two Risk Assessment branches are not working well. The report describes respondents' significant concerns about the behavior of both staff and managers along with some related expectations of their managers. For example, the report stated that "Some staff are fearful of harassment, bullying, retaliation, and loss of reputation from colleagues and managers. They want management to ensure their safety" and wanted their management to "convey expectations, responsibility, and accountability for maintaining a safe work environment. Take appropriate steps to stop retaliation, bullying, and hostile and disruptive behavior from staff and managers."

**Response:** Since March 2021, OCSPP senior leadership have made consistent and repeated efforts to convey its expectations for a workplace environment where everyone feels comfortable identifying errors, asking questions, and expressing differing scientific opinions, all without fear either of retaliation or being denigrated for speaking up. At a recent all-hands meeting of the New Chemicals Division, I further reiterated these views and stated in the strongest possible terms that the alleged behaviors described are completely unacceptable and will not be tolerated. In support of this direction, I am aware that NCD leadership has instituted a practice of beginning meetings by, among other things, reminding all participants of the need to be respectful in sharing comments and providing feedback to others. It is my expectation of NCD management that if any alleged inappropriate behavior is observed or reported they will provide constructive feedback through venues such as a one-on-one meeting with the person to address such behavior. Where and as necessary, including in response to substantiated cases of harassment, violations of the agency's scientific integrity policy, and recommendations from the Inspector General, I am committed to taking the appropriate actions to address any inappropriate behaviors in the workplace.

- 4. Management And Professional Development:** Respondents noted the need for evaluation of and scientific/other training for NCD managers, the absence of professional development opportunities and mentors for staff, and made other specific personnel recommendations.

**Response:** OSCPP is forming a new internal advisory group, the OCSPP Science Policy Council (OPSC). One OPSC function will be to foster informal opportunities for scientific collaboration and professional development within OCSPP. As a starting point of OPSC's formation, we have begun to transform how we approach funding training and professional development across OCSPP. In addition, across OCSPP we are expanding how we use our centralized training funds to support the ability for more employees to attend and participate in professional development opportunities. We began this approach in late 2021 when we approved funding for two people from each OCSPP division to attend developmental training through the Office of Personnel Management's Center for Leadership Development. In addition, using the central training funds, we sponsored three OCSPP employees to participate in training at the Federal Executive

---

<sup>2</sup> See page 70 of <https://www.epa.gov/system/files/documents/2021-10/fy-2022-2026-epa-draft-strategic-plan.pdf>

Institute, one of whom is an NCD employee. We will continue to explore ways to utilize OCSPP's central training fund to support additional training and professional development opportunities.

We will also be embarking on an effort to identify best practices in on-boarding and training new staff used within OCSPP that can be adopted more broadly to further enhance this experience for our new staff. Within NCD, new employees will receive appropriate training, resources and support to help them be successful at their job. To deliver on these commitments, NCD has implemented an approach to onboarding new employees which includes mentoring, coaching, shadowing experienced employees and training materials and guidances for reference. For example, NCD pairs a new employee with a seasoned mentor who provides on the job training on how to conduct risk assessments or risk management for new chemical cases under TSCA. This is done through an immersive process by which the new employee and mentor work collaboratively together on several new chemical cases until the new employee is ready to do the work independently, at which point, the mentor transitions to a more supportive/coaching role. NCD also employs a buddy system that helps new employees navigate the organizational structure and the virtual/physical workplace. While many of these approaches were already in place for employees in what are now the Industrial Chemistry and Risk Management Branches, we will ensure that these practices are consistently implemented in the Risk Assessment Branches (which did not exist in their current form prior to the 2020 OCSPP reorganization).

- 5. Process Improvements:** Respondents said that the “reviews of health reports by NCD management are a major bottleneck in completing chemical reviews, and some felt these reviews should not be done by the same managers who are responsible for employee performance reviews.” Others noted micromanagement and confusing management direction, and a lack of well-documented standard operating procedures and processes.

**Response:** Last summer, NCD engaged in a top-to-bottom effort to catalogue, prioritize, and improve its standard operating procedures (SOPs), decision-making and record-keeping practices related to review and management of new chemicals. To date, NCD has inventoried and reviewed over 100 different SOPs, guidances and science policies, and prioritized those that NCD expects to be updated over the next year.

NCD is also exploring options for the implementation of an alternative approach for the review of science products within the Risk Assessment Branches that will provide a level of separation between the technical review of work products and the assessment of an individual's performance. We are currently exploring practices used in other science organizations across the agency to help identify appropriate models that could be adaptable to the new chemicals review process. We appreciate that this is a critical issue to address within NCD, and are committed to finding workable solutions in the immediate term to be responsive to staff feedback.